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**From:** Wauters, Patrick [wauters.patrick@epa.gov]  
**Sent:** 10/4/2018 6:58:36 PM  
**To:** Spangler, Matthew [Spangler.Matthew@epa.gov]; Law, Donald [Law.Donald@epa.gov]  
**CC:** Vetter, Cheryl [Vetter.Cheryl@epa.gov]; Fallon, Gail [fallon.gail@epa.gov]  
**Subject:** RE: Coyote Creek court decision  
**Attachments:** FW: Comments of Casey & Julie Voigt on T5-F84011 (Coyote Station) - Otter Tail Power Company, Coyote Station

Hi Matt, I've attached the email I received from ND with the public comments and other documents.

Thanks,  
Patrick

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**From:** Spangler, Matthew  
**Sent:** Thursday, October 4, 2018 12:50 PM  
**To:** Wauters, Patrick <wauters.patrick@epa.gov>; Law, Donald <Law.Donald@epa.gov>  
**Cc:** Vetter, Cheryl <Vetter.Cheryl@epa.gov>; Fallon, Gail <fallon.gail@epa.gov>  
**Subject:** RE: Coyote Creek court decision

Patrick/DJ, do you mind forwarding a copy of the public comments that challenged the source determination? ND's letter indicates that the comments were emailed to R8 on 7/24/18. Thanks!

Matt Spangler  
U.S. EPA/ OAQPS/ AQPD/ OPG  
(919) 541-0327 | [spangler.matthew@epa.gov](mailto:spangler.matthew@epa.gov)

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**From:** Vetter, Cheryl  
**Sent:** Thursday, October 04, 2018 10:46 AM  
**To:** Fallon, Gail <[fallon.gail@epa.gov](mailto:fallon.gail@epa.gov)>  
**Cc:** Spangler, Matthew <[Spangler.Matthew@epa.gov](mailto:Spangler.Matthew@epa.gov)>  
**Subject:** RE: Coyote Creek court decision

Thanks, Matt Spangler and I will take a look.

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**From:** Fallon, Gail  
**Sent:** Thursday, October 04, 2018 10:18 AM  
**To:** Vetter, Cheryl <[Vetter.Cheryl@epa.gov](mailto:Vetter.Cheryl@epa.gov)>  
**Cc:** Wauters, Patrick <[wauters.patrick@epa.gov](mailto:wauters.patrick@epa.gov)>; Law, Donald <[Law.Donald@epa.gov](mailto:Law.Donald@epa.gov)>  
**Subject:** Coyote Creek court decision

Cheryl – As we review the source determination for Coyote Station and the Coyote Creek Mine, there may be aspects of a recent ND court opinion we would want to take into consideration. I've attached a brief summary from one of our ORC attorneys along with the order.

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